

# Turfgrass Advocacy

2009



New York State Turfgrass Association • March 11, 2009

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## **New Section of Environmental Conservation Law to Allow Commercial Applicators to Apply Less than Label Rates of Pesticides**

### **Background**

Under the Federal FIFRA law, it is legal for a licensed turfgrass applicator to use a pesticide on non-agricultural turf in a manner inconsistent with its labeling (such as applying at less than label rates). In New York commercial applicators need to obtain NYSDEC approval for applying at less than label rates. Before approval is given, a 2(ee) application must be submitted to DEC by a research institution such as Cornell, a certified crop advisor, manufacturer (registrant) or organization representing individual users.

In 1998, the Environmental Conservation Law was amended by adding section 33-0725. This stated that a pesticide registered for use in NY State may be used for **agricultural purposes only** in a dosage, concentration, or frequency less than that specified on the labeling, but commercial pesticide applicators may not.

### **NYSTA Perspective**

Turfgrass industry professionals who are trained, licensed commercial pesticide applicators need the ability to apply registered products at less than label rates.

By allowing commercial applicators to apply less than label rates the total amount of pesticides being applied in NY State will be decreased, providing economic and environmental benefits to the people of the State.

Research has shown that synergistic activity between fungicides (Couch, VT, 2002 issue of GCM) "can mean a significant reduction in the amount of fungicide required to maintain acceptable levels of disease control, a greater measure of control under conditions of severe disease pressure and a reduction in the possibility of the development of fungicide resistance". This research showed that some combinations had enough synergy to provide control at half low label and even one fourth low label rates.

Turf professionals that use IPM would benefit greatly from the ability to apply at less than label rates. The goals of IPM require the practitioner to minimize: losses to pests, negative effects on human health and the environment, and pesticide resistance potential.

Improvements in application technology have resulted in advances to efficacy, deposition, drift reduction, and improved targeting of pesticides. The use of air induction nozzles, pre-orifice flat fan nozzles, CDA (controlled droplet applicators), shielded or hooded sprayers, and chemical injection applicators all lead to more effective action from pesticides. These tools provide the professional applicator with the means to reduce application rates in certain situations.

### **Recommendation**

Create a new section in the Environmental Conservation Law to provide that unless the labeling specifically prohibits such use, a pesticide registered for use in New York State may be used by commercial applicators in a dosage, concentration or frequency less than that specified on the labeling.

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